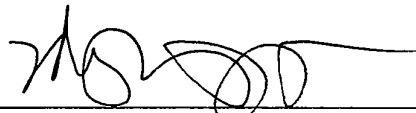


IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

M&S ADVISORY GROUP, INC. : Civil Action No. C-1-02 522  
Plaintiff, :  
v. : NOTICE OF DEPOSITION OF  
EYEMART EXPRESS, LTD. : MONICA SMITH  
Defendant. : Judge Spiegel

PLEASE TAKE NOTICE that the Plaintiff, M&S Advisory Group, Inc., will take the deposition of Monica Smith on February 18, 2004 beginning at 8:00 a.m. central time at 200 South Wacker Drive, 31<sup>st</sup> Floor, Chicago, Illinois 60606.

Respectfully submitted,



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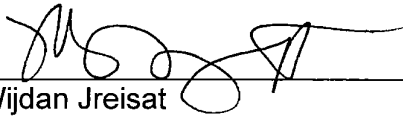
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OF COUNSEL:

Katz, Teller, Brant & Hild  
255 East Fifth Street, Suite 2400  
Cincinnati, Ohio 45202-4787  
(513) 721-4532

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Notice of Deposition of Monica Smith was served upon Michael W. Hawkins and Jon B. Allison, Trial Attorneys for Defendant, Dinsmore & Shohl, 255 E. Fifth Street, Suite 1900, Cincinnati, Ohio 45202 via United States Mail this 13<sup>th</sup> day of February, 2004.

  
Wijdan Jreisat

KTBH:584791.1